

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

ANTHONY OLIVER,	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CV418-213
	)	
ADAM PARKER MASSEY and	)	
JOHN DOES 1 THROUGH 10,	)	
	)	
	)	
Defendants.	)	

**REPORT AND RECOMMENDATION**

Proceeding *pro se*, plaintiff Anthony Oliver brought this 42 U.S.C. § 1983 claims alleging excessive force. *See* docs. 1-2. This case was administratively stayed while the Court considered the need for filing restrictions due to plaintiff's conduct in two parallel cases. *See* doc. 12. As the Court has imposed such restrictions on plaintiff's pending and future filings in this district and he has failed to comply with their requirements in any case, the Court **RECOMMENDS** that those restrictions apply in this case, and, if he fails to comply, that this case be **DISMISSED**.

Oliver has a history of filing frivolous lawsuits in this district and others, earning him the designation of a vexatious litigant. *See Oliver v.*

*City of Pooler*, CV4:18-100, doc. 59 at 2 (S.D. Ga. Feb. 28, 2019) (“The Magistrate Judge conducted a thorough review of Plaintiff’s filing history with this Court and other federal courts. In the Court’s view, Plaintiff is plainly a vexatious litigant.”). His past behavior has compelled the Court to impose restrictions on his filings in this district, including the posting of a \$1,000 contempt bond and the filing of an affidavit attesting to his knowledge of and intent to comply with Federal Rules of Civil Procedure 11. *Oliver v. County of Chatham, et al.*, CV4:17-101, doc. 189 at 7 (S.D. Ga. Mar. 30, 2018), *adopted by* doc. 220 (S.D. Ga. May 31, 2018); *Oliver v. City of Pooler, et al.*, CV4:18-100, doc 53 (S.D. Ga. Jan. 29, 2019), *adopted by* doc. 59 (S.D. Ga. Feb. 28, 2019); *Oliver v. Lyft, Inc.*, CV 4:19-063, doc. 13 at 4–7 (S.D. Ga. Sept. 13, 2019), *adopted by* doc. 115 (S.D. Ga. Oct. 21, 2019); *Oliver v. Lyft, Inc.*, CV4:19-125, doc. 54 (S.D. Ga. Sept. 13, 2019), *adopted by* doc. 56 (S.D. Ga. Oct. 21, 2019). Plaintiff has failed to comply with these restrictions in any case, including this one. The Court, therefore, **RECOMMENDS** that all of the restrictions imposed in *Oliver v. County of Chatham, et al.*, CV4:17-101, doc. 189 (S.D. Ga. Mar. 30, 2018), apply to this case as well. Accordingly, Oliver must post a \$1,000 contempt bond and submit the required

affidavit. If he fails to post that bond within the fourteen-day period provided for objections to this Report and Recommendation, his Complaint should be **DISMISSED**.

This report and recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge. Within the same period, plaintiff may take steps to comply with the imposed sanctions in order to avoid dismissal.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendation pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonette v. V.A. Leasing Corp.*,

648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

**SO REPORTED AND RECOMMENDED**, this 25th day of August, 2020.



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CHRISTOPHER L. RAY  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA